

1865-

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FIRST REPORT  
OF THE  
SOLICITOR  
OF THE  
PROTECTIVE WAR CLAIM  
AND PENSION AGENCY,  
OF THE  
U. S. SANITARY COMMISSION,  
IN PHILADELPHIA,  
TO THE  
BOARD OF DIRECTORS,

JANUARY 1st, 1865.

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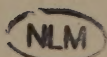
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# OFFICERS.

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1307 CHESTNUT STREET, PHILADELPHIA,  
*January 1, 1865.*

To the Board of Directors of the Protective War Claim and  
Pension Agency of the U. S. Sanitary Commission in Philadelphia.

GENTLEMEN :—

I beg leave to submit the following general report of the operations of the Agency from the date of its organization, April 8, 1863. The enterprise originated in the desire to afford, without charge, to persons in the military or naval service of the United States, and their relatives, prompt and efficient aid in the settlement of their claims against the Government. An agency for similar purposes, previously established, by the Commission at Washington, had accomplished the most gratifying results. The field covered by the operations of the Philadelphia Agency of the Commission included the States of Pennsylvania and Delaware, and the southern portion of New Jersey. The large number of soldiers who had gone from this extensive district into the army, and the large and increasing number of sick and wounded in the hospitals about Philadelphia, combined to make a pressing need for such assistance here. Accordingly, at a meeting of the Executive Committee of the Philadelphia Associates, held February 27, 1863, on motion of Judge Hare,

a special committee, consisting of Messrs. William Welsh, Clement B. Barclay, Rev. Henry A. Boardman, Caleb Cope, William M. Tilghman, and George M. Conarroe, was appointed to consider and report upon the propriety of establishing a Protective War Claim Agency in Philadelphia. This Committee, through its Secretary, George M. Conarroe, Esq., reported favorably, and its report was unanimously adopted by the Executive Committee on the 27th of March, 1863, and Messrs. William M. Tilghman, William Welsh, Horace Binney, Jr., Benjamin Gerhard, Charles J. Stillé, Hon. J. I. Clark Hare, George M. Conarroe, Alexander Brown, George Trott, Dr. H. Lenox Hodge, George D. Parrish, William L. Rehn, and Atherton Blight, were appointed a Committee, with full power to establish such an Agency in Philadelphia, for the prosecution of claims for soldiers and others. In pursuance of this authority, the Committee held its first meeting on April 8, 1863, fitted up and opened an office in the building of the Commission at No. 1307, Chestnut street, and appointed a Solicitor and an Examining Surgeon. The proper departments at Washington were notified of the establishment of the Agency, and gave the measure their emphatic approval. The office was opened to claimants May 15, 1863, and the favor with which its operations have been received, has been fully shown by its large and steadily increasing business.

In view of the fact that the necessity which



called forth the Agency would undoubtedly continue for a considerable time after the termination of the war, it was considered desirable that the Agency should be incorporated, and accordingly, on the 5th of December, 1864, a charter of incorporation was obtained from the Court of Common Pleas of Philadelphia, under the provisions of the Act of Assembly giving power to that court to incorporate institutions for charitable purposes. A copy of this charter is appended to the present report.

Five classes of claims are now prosecuted by this Agency, viz: claims for pensions on behalf of disabled soldiers and the relatives of deceased soldiers; for bounty and back-pay due the estates of deceased soldiers; for pay of prisoners-of-war; for pay of soldiers discharged with defective final papers; and for prize money of seamen. Although the prosecution of two classes at least of these claims was not contemplated when the Agency was established, they came so entirely within the relief designed to be afforded that they could not be rejected without manifest inconsistency.

The table accompanying this report will show that since the Agency was organized, in May, 1863, 4,355 claims have been received for collection. Of these, there have been settled 731 claims for pension, 594 claims for bounty and back-pay, amounting in value to \$72,067 50; 182 claims for pay applied for by the families of prisoners-of-war amounting to \$21,363 64; and 52 claims for prize money, amounting to \$1,992 26.

The total amount thus collected in cash, and paid to claimants, or held subject to their order, is \$95,423 40. To this must be added the sums paid to this date upon the certificates of pension, which, at the lowest estimate, cannot be less than \$41,712 00, showing a total sum realized for applicants of at least \$137,135 40,\* These claims have been prepared and collected at an average cost to the Commission of less than one dollar each.

It will be noticed that the very large number of 3,252 claims belongs to the year 1864, a rate of increase over that of the previous year of 96 per cent. This is remarkable, from the fact that scarcely any attempt has been made during the year to advertise the objects of the Agency through the press. The growth of the business might, with very little effort, have been very largely accelerated; but the consequent increase of labor, especially in the item of correspondence, would have compelled a very considerable addition to the clerical force. If the principle which led to the establishment of the Agency be a just one, it may be questioned whether it is proper longer to re-

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\* These figures scarcely afford a just estimate of the work accomplished by the Agency. Many of the Claims named in this list as unsettled, are now being reached in their order, for examination, by the Departments, and will be speedily adjusted. In proof of this, since the date of this Report and the present, the date of its being put to press, an interval of seven weeks, there have been collected, in addition to the amounts specified above, 291 Claims for Bounty, Back Pay and Prize Money, amounting to \$44,210 86, and 176 Pensions, ranging from 72 to 300 dollars per annum.

frain from giving the widest scope possible to its operation. That motive was the manifest injustice of compelling claimants against the Government to pay a percentage for the collection of their dues, which is never contemplated in the settlement of ordinary debts. The debt which must be prosecuted under legal forms to a settlement, and for whose collection the sum of 10 per cent. is charged, would be deemed, in mercantile business, desperate. If the interests of Government require a strict adherence to technical forms and proofs in the presentation of claims, it would seem that the expenses of the process should be borne by the Government, and not by its creditors. This result might be effected either by the establishment of Government Agencies similar in character to that of the Commission, or by the allowance to the party, upon the settlement of the claim, of a sum sufficient to defray the legal charges allowed to claim agents. In the absence of such provision by the Government, the value of the service performed by this branch of the Commission cannot easily be exaggerated. These services are valuable not merely in saving legitimate expenses, but in preventing dishonesty. Perhaps no line of business offers larger or more tempting opportunities for the perpetration of dishonesty than does that of the prosecution of claims against the Government. The character of the claimants and of the claims, while it invites to extortion, renders its detection almost impossible. It must be remembered

that in all claims preferred by the relatives of a deceased soldier, the actual amount due to his estate can never be accurately known until the account is finally audited at the Treasury Department. The vouchers in settlement of the claim are sent to the attorney, to whose integrity the claimant must trust for a proper settlement of the accounts and payment of the proceeds. When it is further remembered that a very large proportion of claimants are the widows and mothers of soldiers, a class rendered by their position peculiarly powerless, it may be safely assumed that the sums illegally withheld are enormous, if they bear any proportion to the opportunities presented for dishonesty.

Objection has been taken to the work of this branch of the Commission that it is not exclusively charitable, because it makes no distinction in the circumstances of claimants. Such a discrimination, however, even if it were practicable, could not fail to result in embarrassment. A careful observation of the cases presented during the year shows the practical uselessness of the policy by disclosing the fact that of the whole number of claimants the circumstances of at least three-fourths are but a step removed from actual poverty.

The delay in the settlement of claims, so familiar to all who have frequent dealings with Government, needs a word of explanation. The pay-rolls upon which the claims of deceased soldiers are settled by



the Second Auditor of the Treasury Department are frequently not accessible to that officer until several months have elapsed after the death of the soldier. These rolls, as well as the proof submitted by the legal representatives of the deceased, must be carefully examined and submitted for approval to the Second Comptroller before any claim can be settled. The result is that an interval often exceeding a year intervenes between the filing and the final adjustment of a claim for arrears of pay. In applications for pension the delay, although not usually so great, is still very considerable. Owing to the numerous attempts at fraud in the presentation of unworthy or fictitious claims, the rules of proof insisted upon by the Department have been gradually rendered more stringent. The disability or death of the soldier is required in every case to be distinctly shown as having occurred in the line of military duty, and as incident to the service. In at least three-fourths of the whole number of cases the Company records fail to throw sufficient light upon these points, and the party, or his attorney, is called upon to furnish the requisite proof. Where the claimant is the widow of a soldier, her marriage must be shown, if possible, by a sworn copy of the church, or other public record of the marriage, and no other proof will be admitted unless the absence of such record is clearly established. Where the claimants are minors, a guardian must be appointed by Court, and the exact ages of the children and the

marriage of their parents must be shown, if possible, by record evidence. Where the claimant is a mother, she must establish the fact of her dependence for support upon her deceased son by proof of the sums actually contributed by him, and for what, in general, they were appropriated. The witnesses called to testify in any claim must be disinterested, and, if possible, not near relatives of the claimant. This rule, of course, excludes at once a large number of persons from testifying, with whom the knowledge of these facts peculiarly lies, and increases in the same proportion the difficulty of establishing the claim.

It would be easy perhaps to add a feature of interest to this report by citing examples of the operation of this branch of the Commission in individual cases. These comprise frequently the most afflicting exhibitions of utter poverty and hopelessness. In repeated instances a home has been kept to the families of soldiers by the trifling loans which have been advanced upon claims in course of settlement. During the present month a certificate of pension in favor of a soldier discharged for consumption contracted in the service was received upon the day of his death. His wife called to say that she had no means with which to defray the expenses of his burial. Fortunately the arrears upon the pension proved to be considerable, and were promptly paid by the Government pension agent.

But it is believed that the character of the work,

as one of benevolence, is sufficiently indicated in the tables accompanying this report. The large and rapid growth, which, with little aid from the public press, the work has attained, shows the estimation in which it is held, and the ease with which it may be still further enlarged. Probably in no branch of the Commission are the benefits resulting from its labors so direct and so encouraging.

Number of claims received for collection from	
January 1, 1864, to January 1, 1865.....	3,252
Previously entered.....	1,103
	<hr/>
Total number of claims on file.....	4,355

Of these there were for Pension

For Invalid Soldiers.....	1,121	
“ Widows .....	605	
“ Mothers.....	177	
“ Minors.....	21	
	<hr/>	1,924

For Bounty and Back Pay

“ Discharged Soldiers.....	716	
“ Widows.....	573	
“ Mothers.....	258	
“ Fathers.....	360	
“ Brothers and sisters.....	132	
	<hr/>	2,039

For pay of prisoners of war,

Wives	}	.....	266
Widowed Mothers			

Prize Money and commutation of rations.....	126
	<hr/>
	4,355

Of the claims for Pension, there have been settled as follows:

For Invalid Soldiers.....	589	
“ Widows.....	116	
“ Mothers.....	26	
	<hr/>	731

For Bounty and Back Pay.

“ Discharged Soldiers.....	272	
“ Widows.....	133	
“ Mothers.....	49	
“ Fathers.....	114	
“ Guardians and others.....	26	
	<hr/>	594

For pay of Prisoners of war.

“ Wives and Mothers.....	182
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For Prize-money and other claims.....	52
	<hr/>
	1,559

The amounts collected in cash upon the above claims, except those for pension, are as follows:

For Bounty and Back-pay,

“ Discharged Soldiers.....	\$30,077 44	
“ Widows.....	18,025 09	
“ Mothers.....	6,383 69	
“ Fathers.....	13,928 01	
“ Guardians and others.....	3,653 27	
“ Pay of Prisoners of war.....	21,363 64	
“ Prize-money and other claims,	1,992 26	
	<hr/>	95,423 40



To this sum should be added the probable amounts due or paid up to December 31, 1864, upon the certificates of pension, as follows:

Estimating the average value of each invalid pension at six dollars per month, and the date of its commencement at eight months prior to December 31, 1864, the amounts paid or due upon this class of pensions at the latter date would be..... \$28,176 00

Estimating the widow's pension at an average value of eight dollars per month, and twelve months as the average date, the amount collected or due would be..... 11,040 00

Estimating the mother's pension at eight dollars per month for twelve months, the amount would be..... 2,496 00  


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41,712 00  


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Total amount..... \$137,135 40

The claims transmitted were for soldiers and seamen enlisted in twenty-one different States of the Union, as follows:

In Pennsylvania.....	3,298
“ New York.....	335
“ New Jersey.....	200
“ Maine.....	43
“ North Carolina.....	1
“ Connecticut.....	19
“ Indiana.....	12
“ Massachusetts.....	45
“ Delaware.....	45
“ Ohio.....	33
“ Wisconsin.....	30
“ Minnesota.....	6

In New Hampshire .....	9
" District of Columbia.....	3
" Vermont.....	8
" Michigan.....	49
" Illinois.....	12
" Maryland.....	17
" Virginia.....	5
" Colorado.....	3
" Kentucky.....	1
" California.....	2
" U. S. regular service.....	179
Total.....	<hr/> 4,355

A vacancy has been occasioned in the Board of Directors by the death, in June last, of Benjamin Gerhard, Esq., one of the founders of this Agency, and one who always felt great interest in its operations. The many excellencies of Mr. Gerhard's life, as well as his untiring efforts in works of benevolence, are too well known in this community to require reference here.\*

Special thanks are due to Dr. H. Lenox Hodge for the very valuable and uncompensated services performed by him as examining surgeon, as well as to George M. Conarro, Esq., for similar services in the Orphans' Court in procuring the appointment of guardians in cases where minor children were the claimants.

The business of the agency has been so much

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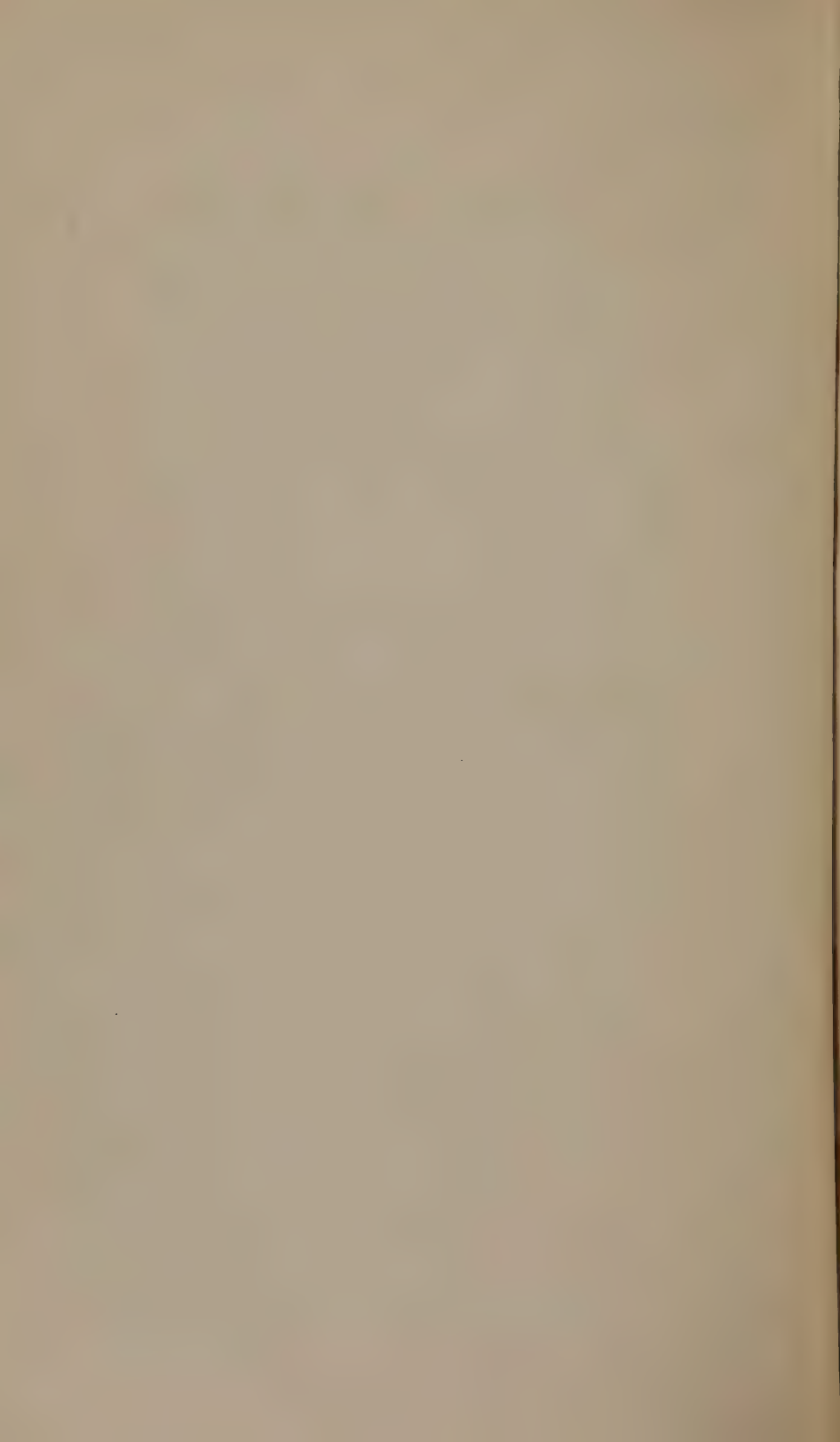
\* The vacancy caused by Mr. Gerhard's death has been filled by the election of Robert M. Lewis, Esq.

enlarged during the past year, that additional clerical force as well as more ample office room has been rendered necessary. The requisite alterations are now in progress and will shortly be completed.

Respectfully submitted,

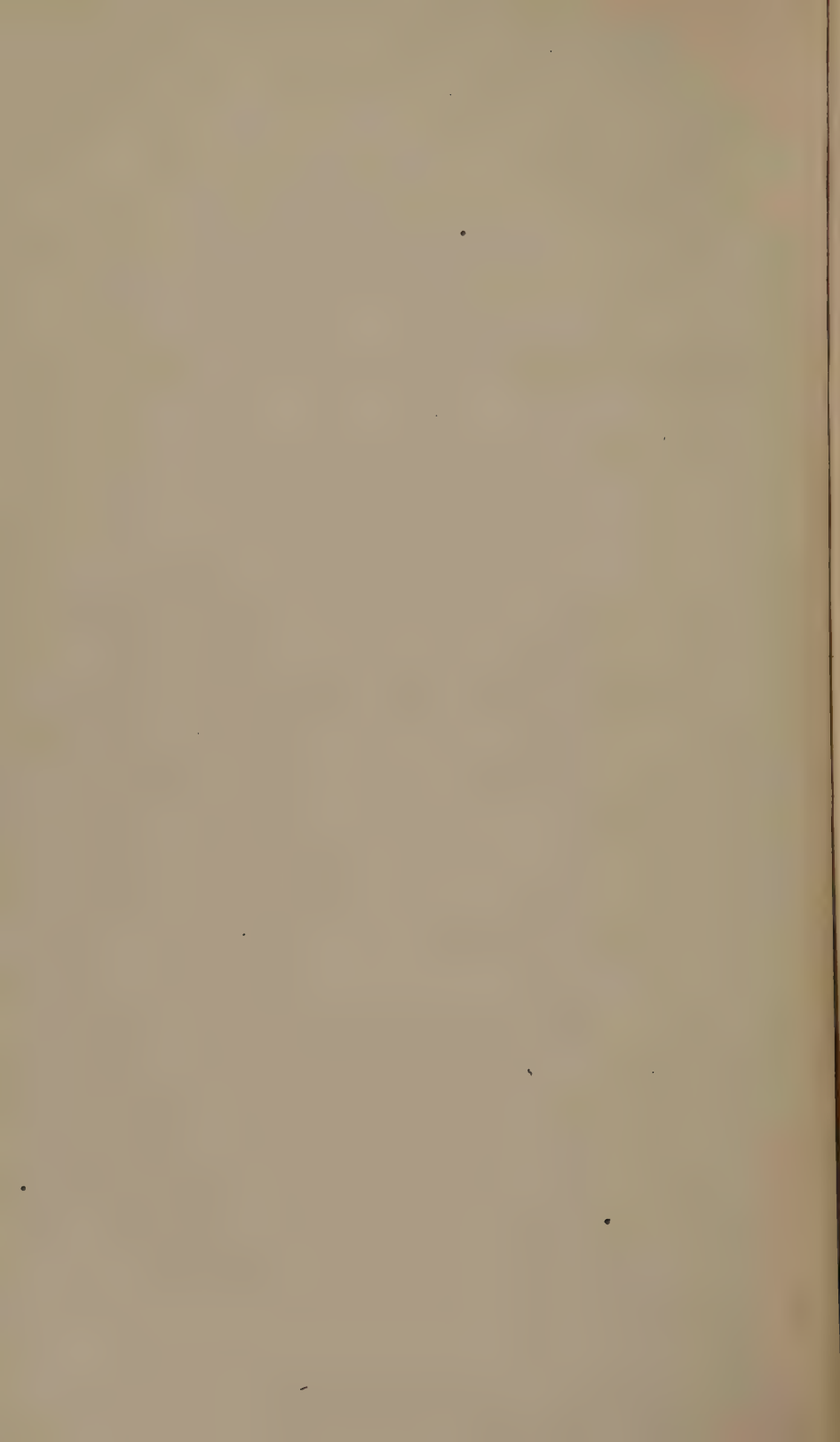
W. N. ASHMAN,

*Solicitor.*





# APPENDIX.



CHARTER  
OF THE  
PROTECTIVE WAR CLAIM AND PENSION AGENCY  
OF THE  
U. S. SANITARY COMMISSION,  
IN PHILADELPHIA.

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The undersigned, citizens of Pennsylvania, to wit: William M. Tilghman, Horace Binney, Jr., Alexander Brown, J. I. Clark Hare, William Welsh, Charles J. Stillé, Benjamin Gerhard, William L. Rehn, George Trott, George D. Parrish, George M. Conarro, H. Lenox Hodge, M. D., and Atherton Blight, all of the city of Philadelphia, having, at the request and with the aid of the United States Sanitary Commission, formed an Association for the purposes hereinafter set forth, and being desirous to acquire and enjoy the powers and immunities of a corporation or body politic in law, pursuant to the Acts of Assembly in such case made and provided, hereby declare the following to be the name, objects, articles and conditions of the said proposed corporation.

*Article 1.* The name of this corporation shall be the "Protective War Claim and Pension Agency of the United States Sanitary Commission in Philadelphia," and by that name it shall have perpetual succession, and shall be forever capable in law to take and hold, sell and dispose of personal estate received by gift, grant or bequest; to have a common seal, and the same to break, alter and renew at pleasure; to sue and be sued, and generally to do all such matters and things as may be lawful and necessary for it to do, for the

effectual carrying out of the objects of said corporation as hereinafter set forth. Provided that the clear yearly income of said corporation, other than from annual subscriptions, shall not exceed the sum of five thousand dollars.

*Article 2.* The object of this corporation shall be to aid invalid soldiers and sailors, and the relations of deceased soldiers and sailors in procuring the bounty, arrears of pay, pensions, prize money, and allowances to which they may be entitled from the Government of the United States, by paying the salary and office expenses of an attorney or attorneys-at-law, or other suitable agent or agents, whose duty it shall be to prepare and forward all the papers and correspondence necessary for the prosecution and collection of such claims free of charge to the claimants. Also to aid such claimants as may be in necessitous circumstances by advances of money to be repaid without interest or charge, upon the recovery of their claims. The said corporation does not intend to assure any agency in or liability for, the prosecution or collection of such claims; but such agency and liability are, as between all persons concerned and the attorneys or agents employed by said corporation, to stand upon the same legal footing as if the said attorneys or agents were selected, employed and paid by the claimants themselves.

*Article 3.* The said corporation is intended to be supported by voluntary contributions, by gifts, grants or bequests.

*Article 4.* The persons named in the preamble to this instrument shall compose the said corporation, and they and their successors shall have power to fill by election, by ballot, all vacancies occurring among the members thereof. On the first Monday in May, A.D. 1865, they shall organize as a Board of Directors of said corporation, by electing by ballot from their number a President, Secretary and Treasurer, to serve for the ensuing year, and until their suc-



cessors are duly chosen. Five members shall constitute a quorum of said Board. The Board shall have power to appoint all such officers and agents as it may deem necessary for the accomplishment of the objects of the corporation, and to make all by-laws and regulations for the government of its members and agents not repugnant to law.

W. M. TILGHMAN,  
HORACE BINNEY, JR.,  
J. I. CLARK HARE,  
ALEX. BROWN,  
WM. WELSH,  
C. J. STILLÉ,

WM. L. REHN,  
GEORGE TROTT,  
GEORGE D. PARRISH,  
GEO. M. CONARROE,  
H. LENOX HODGE,  
ATHERTON BLIGHT,

B. GERHARD.

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*In the Court of Common Pleas in and for the City and County of Philadelphia.*

In the matter of the Incorporation of the "Protective War Claim and Pension Agency of the United States Sanitary Commission in Philadelphia."

And now, to wit: this fifth day of December, A.D., 1864, the articles of Incorporation of the "Protective War Claim and Pension Agency of the United States Sanitary Commission in Philadelphia," having been heretofore, to wit: on the twenty-second day of April, A.D. 1864, filed in the office of the Prothonotary of said Court, and due notice having been inserted in a newspaper printed in said county, in due conformity to law, therefore on motion of George M. Conarroe, Esq., it is declared and decreed by said Court that the persons so associated under said articles, shall, according to the articles and conditions in said instrument set forth and contained, become and be a corporation or body politic in law. And it is further ordered and directed that said charter of incorporation shall be recorded in the office for recording of deeds, &c., in and for the said city and county of Philadelphia, and on said instrument being

so recorded, the persons so associated or meaning to associate, shall according to the objects, articles and conditions in said instrument set forth and contained, become and be a corporation or body politic in law and in fact, to have continuance by the name, style and title in said instrument provided and declared.

In testimony whereof, I have hereunto set my hand and affixed the seal of said Court, this fifth day of December, Anno Domini, one thousand eight hundred and sixty-four.



T. O. WEBB,  
*Pro Proth'y.*

Recorded in the office for recording deeds, &c., for the city and county of Philadelphia, in Miscellaneous book, L. R. B., page 3, &c.

Witness my hand and seal of office, this seventh day of January, A. D. 1865.



L. R. BROOMALL,  
*Recorder,*  
per M. MYERS.





